

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**VICKI PIONTEK**

Plaintiff,

vs.

**MIDLAND CREDIT MANAGEMENT,  
JOHN DOES 1-10 AND X,Y,Z  
CORPORATIONS**

Defendants.

Civil Action No.

**12 5097**

**FILED**

SEP - 6 2012

MICHAEL KUNZ, Clerk  
By TV Dep. Clerk

**NOTICE OF REMOVAL**

**PLEASE TAKE NOTICE THAT**, pursuant to 28 U.S.C. § 1441(b) and 28 U.S.C. § 1331, Defendant, Midland Credit Management, Inc. ("MCM"), by and through its counsel, Marshall, Dennehey, Warner, Coleman & Goggin, P.C., hereby removes the action entitled Vicki Piontek v. Midland Credit Management, John Does 1-10 and X,Y,Z Corporations, docket no. 2012-02935, as filed in the Court of Common Pleas of Bucks County, Pennsylvania ("the Action"), to the United States District Court for the Eastern District of Pennsylvania, based upon the following:

1. On or about July 20, 2012, Plaintiff filed the Action in the Court of Common Pleas of Bucks County, Pennsylvania. A true and correct copy of Plaintiff's Complaint in the Action is attached hereto as Exhibit "A."

2. MCM first received notice of the Action on or around August 8, 2012, when it was served with Plaintiff's Complaint via certified mail.

3. Based on the foregoing, MCM has timely filed this Notice of Removal within thirty days of being served with the Complaint and within thirty days of the date that the Action was first removable. See 28 U.S.C. § 1446(b).

4. The Action is a civil action of which this Court has original jurisdiction under 28 U.S.C. § 1331, and is one which may be removed to this Court by MCM pursuant to the provisions of 28 U.S.C. § 1441(b), in that Plaintiff has alleged, *inter alia*, that MCM violated the Fair Debt Collections Practices Act, 15 U.S.C. § 1692, et seq., thereby asserting a claim that arises under federal law.

5. In that the causes of action alleged by the Plaintiff arise from the performance of obligations of the parties within Bucks County, Pennsylvania, the United States District Court for the Eastern District of Pennsylvania should be assigned the Action.

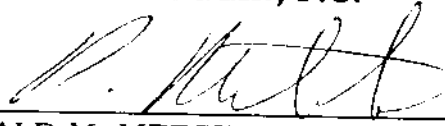
6. Pursuant to 28 U.S.C. § 1446(d), MCM will file a copy of this Notice of Removal with the Clerk of the United States District Court for the Eastern District of Pennsylvania, will serve Plaintiff with copies of this Notice of Removal and will file the Notice of Removal in the Bucks County Court of Common Pleas.

**WHEREFORE**, Defendant, Midland Credit Management, Inc., notifies this Court that this cause is removed from the Court of Common Pleas of Bucks County, Pennsylvania to the United States District Court for the Eastern District of Pennsylvania.

Respectfully submitted,

**MARSHALL, DENNEHEY, WARNER,  
COLEMAN & GOGGIN, P.C.**

By: \_\_\_\_\_



RONALD M. METCHO, ESQUIRE  
2000 Market Street, Suite 2300  
Philadelphia, PA 19103  
(215) 575-2595 / (215) 575-0856 (f)  
rmmetcho@mdwgc.com  
Attorneys for Defendant,  
Midland Credit Management, Inc.

Dated: September 6, 2012

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

VICKI PIONTEK

Civil Action No.

Plaintiff,

vs.

MIDLAND CREDIT MANAGEMENT,  
JOHN DOES 1-10 AND X,Y,Z  
CORPORATIONS

Defendants.

FILED

SEP - 6 2012

MICHAEL KUNZ, Clerk  
By JV Dep. Clerk

**CERTIFICATE OF SERVICE**

I, Ronald M. Metcho, Esquire, do hereby certify that a true and correct copy of Defendant, Midland Credit Management, Inc.'s, **Notice of Removal** was served upon the below-listed counsel of record by regular mail on September 6, 2012.

Waverly Madden, Esquire  
Stephen Girard Building, Suite 100  
21 S. 12<sup>th</sup> Street, #100  
Philadelphia, PA 19107  
Attorney for Plaintiff  
Vicki Piontek

**MARSHALL, DENNEHEY, WARNER,  
COLEMAN & GOGGIN, P.C.**

By: 

RONALD M. METCHO, ESQUIRE  
Attorneys for Defendant,  
Midland Credit Management, Inc.

Dated: September 6, 2012

**EXHIBIT "A"**

Waverley Madden, Esquire  
 Bar ID # 205284  
 21 S. 12<sup>th</sup> Street, Suite 100  
 Philadelphia, PA 19107  
 Tel.: (215) 525-0150

**ATTORNEY FOR PLAINTIFF**

**COMMONWEALTH OF PENNSYLVANIA  
 BUCKS COUNTY  
 COURT OF COMMON PLEAS**

Vicki Piontek  
 951 Allentown Rd.  
 Lansdale, PA 19446  
 Plaintiff,

2012-02935

v.

Midland Credit Management  
 8875 Aero Drive, Suite 200  
 San Diego, California 92123  
 and

John Does 1-10  
 and  
 X,Y,Z Corporations  
 Defendant(s).



Case Number: 2012-02935 4  
 Receipt: Z738919 Judge: 31  
 Code: 759 Filing: 9951311  
 Patricia Bachtie - Bucks Co Prothonotary  
 809 7/20/2012 9:27:43 AM

**STATEMENT OF CLAIM**

Plaintiff, Vicki Piontek, brings this complaint against Defendant, Cavalry Portfolio Services, LLC. This complaint is brought pursuant to the 15 USC 1692 et. seq. of the Fair Debt Collection Practices Act (FDCPA) which defines the Defendant as a debt collector and the Plaintiff as a consumer. In support of her complaint Plaintiff avers as follows:

**INTRODUCTION**

1. This is a lawsuit for damages brought by an individual consumer for Defendant's violations of the Fair Debt Collection Practices Act, 15 U.S.C. 1692, et seq. (hereinafter "FDCPA"). The aforementioned statute prohibits debt collectors from engaging in abusive, deceptive, and unfair practices.

### **JURISDICTION AND VENUE**

2. The previous paragraphs of this complaint are incorporated by reference and made a part of this Complaint.
3. Jurisdiction and Venue is proper in this jurisdiction because a substantial portion of the acts, omissions, transactions or occurrences took place in this jurisdiction. To wit, the telephone communication referred to in this Complaint occurred in this jurisdiction.
4. Jurisdiction and venue is proper in this jurisdiction because the Defendant(s) transact business in this jurisdiction.
5. A substantial portion of the acts and / or omission complaint of occurred at or near this jurisdiction.

## **PARTIES**

6. The previous paragraphs of this complaint are incorporated by reference and made a part of this Complaint.
7. Plaintiff is Vicki Piontek, an adult individual, with an address including but not limited to 951 Allentown Road, Lansdale, PA 19446.
8. Defendants are the following.
  - a. Midland Credit Management, a business entity with an address including but not limited to 8875 Aero Drive, Suite 200, San Diego, California 92123.
  - b. John Does 1-10, individuals whose identities are not known to Plaintiff at this time, but which will become known upon proper discovery. It is believed and averred that such Does played a substantial role in the commission of the acts described in this complaint.
  - c. X,Y,Z Corporations, legal entities whose identities are not known to Plaintiff at this time, but which will become known upon proper discovery. It is believed and averred that such entities played a substantial role in the commission of the acts described in this complaint.

**COUNT ONE: Violation of Fair Debt Collection Practices Act (15 USC 1692 g et. seq.)  
"Overshadowing"**

9. The previous paragraphs of this complaint are incorporated by reference and made a part of this Complaint.
10. Plaintiff is a consumer debtor as defined by the Fair Debt Collections Practices Act (FDCPA), 15 USC 1692 et. Seq.
11. Defendant is a debt collector as defined by the FDCPA, 15 USC 1692 et. seq.
12. At all times mentioned herein, Defendant was attempting to collect on an alleged consumer debt against Plaintiff.
13. On or about June 22, 2011, Defendant sent Plaintiff a collection letter for an alleged consumer debt. See Exhibit A.
14. Said collection contained verbiage antithetical to the requirements of 15 USC 1692 g et. seq.
15. On or about June 24, 2011, Defendant(s) then sent Plaintiff another collection letter for the same alleged consumer debt, labeled as Exhibit B.
16. The letter labeled as Exhibit B contained the proper verbiage required by 15 USC 1692 g et. seq.
17. The language of the letter Exhibit A was improper because it contained verbiage which overshadowed the requirements of 15 USC 1692 g et. seq.
18. The first collection letter labeled as Exhibit A Demanded an immediate payment due before Defendant was legally allowed to make such a demand under 15 USC 1692g et. seq.
19. The language of the first letter (Exhibit A) contradicted the language of the second collection letter (Exhibit B).

20. By demanding payment from Plaintiff before the 30 days to dispute the alleged consumer debt had expired, Defendant overshadowed Plaintiff's rights pursuant to 15 USC 1692 g et. seq.
21. By engaging in the above described conduct, Defendant overshadowed its obligations under 15 USC 1692g.
22. Defendant(s) above described conduct had the effect of confusing misleading and intimidating the Plaintiff.

**COUNT TWO: Violation of 15 USC 1692 g**  
**Continued Collection Activity Without Compliance with 15 USC 1692g**

23. The previous paragraphs of this Complaint are incorporated by reference and made a part of this Complaint.
24. On or about June 24, 2011, Defendant sent Plaintiff a collection letter that contained verbiage which complied with the provisions of 15 USC 1692 g, and which read substantially as follows. See Exhibit B.
- Under Federal Law, 15 U.S.C. sec. 1692 et seq., unless you dispute the validity of this debt, or any portion of the debt, within thirty (30) days after receipt of this notice, we will assume that the debt is valid. If you notify us within the thirty-day period that the
- debt, or any portion of the debt, is disputed, we will obtain and mail to you verification of the debt or a copy of any judgment. Upon your request within the thirty-day period, we will provide you with the name and address of the original creditor, if different from the current creditor.
25. Plaintiff disputed the alleged consumer debt in writing on July 7, 2011 and July 14<sup>th</sup>, 2011 to Plaintiff within the applicable 30 days pursuant to 15 USC 1692g. See Exhibit C.
26. In Plaintiff's disputes labeled as Exhibits C and D, Plaintiff specifically requested that Defendant(s) provide Plaintiff with the name and address of the original creditor which was different than the current creditor.
27. One or about August 1, 2011, and September 2, 2011, Defendant responded to Plaintiff's dispute(s). See Exhibits E and F, but failed to provide both the name and the address of the original creditor which was different than the current creditor.

28. In Defendant's response to Plaintiff's disputes, Defendant failed to fulfill all of its duties under 15 USC 1692g. Defendant failed to provide the name and address of the original creditor which was different than the current creditor.
  29. Defendant's continued collection activity against Plaintiff following Plaintiff's demand for the name and address of the original creditor, and Defendant(s) failure to provide such information. To wit, Defendant instructed Plaintiff to mail Defendant money in the letters marked as Exhibit E and F.
  30. By engaging in the above described conduct, Defendant overshadowed its obligations under 15 USC 1692g.
  31. Defendant(s) above described conduct had the effect of confusing misleading and intimidating the Plaintiff.
-

**COUNT THREE: Violation of 15 USC 1692 e  
Failure to Meaningfully Disclose Nature of Communication**

32. The previous paragraphs of this Complaint are incorporated by reference and made a part of this Complaint.
33. Plaintiff is a consumer debtor as defined by the Fair Debt Collections Practices Act (FDCPA), 15 USC 1692 et. Seq.
34. At all relevant times in this Complaint, Defendant(s) was / were acting as a debt collector(s) as defined by the FDCPA, 15 USC 1692 et. seq.
35. At all times mentioned herein, Defendant(s) was / were attempting to collect on an alleged consumer debt against Plaintiff.
36. Within the applicable statute of limitations, prior to the commencement of this action, in 2011, Defendant contacted Plaintiff by telephone.
37. During Defendant's aforementioned telephone call, Defendant's caller ID was blocked.
38. The blocking of the caller ID had the effect of confusing and misleading Plaintiff as to Defendant's identity.
39. During the aforementioned telephone call, Defendant failed to state the proper name of Defendant. Instead of correctly identifying Defendant, Defendant's agent, representative or employee stated that he was calling from "Midland" and failed to give any other meaningful identification for the Defendant's company.
40. Defendant(s) above described conduct had the effect of confusing and misleading the Plaintiff.

### **DAMAGES**

41. The previous paragraphs of this Complaint are incorporated by reference and made a part of this Complaint.
42. Plaintiff demands \$1.00 actual damages at least for stationary, postage, mileage, lost time etc.
43. Plaintiff demands \$1,000.00 statutory damages under the FDCPA 15 USC 1692k.
44. Plaintiff suffered some emotional distress, anger and frustration as a result of Plaintiff's rights being violated by Defendant. The amount of such distress shall be determined at trial.

### ATTORNEY FEES

45. The previous paragraphs of this Complaint are incorporated by reference and made a part of this Complaint.

46. Plaintiff believes and avers that she is entitled to attorney fees of \$1,925.00 at a rate of \$350.00 per hour. Services include but not limited to the following.

- |   |     |
|---|-----|
| a. Consultation with client on three separate x   | 1.5 |
| b. Drafting, editing, review, filing and serving of<br>of complaint and related documents | 2   |
| c. Follow up with Defense   | 2   |

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5x \$350 per hour = \$1,925

47. Plaintiff's attorney fees continue to accrue as the case move forward.

48. The above referenced attorney fees are a reasonable calculation of work performed to date as well as reasonable follow up.


**OTHER RELIEF**

49. The previous paragraphs of this Complaint are incorporated by reference and made a part of this Complaint.
50. Plaintiff requests declaratory relief.
51. Plaintiff requests injunctive relief prohibiting further collection activity.
52. Plaintiff seeks such other relief as this Honorable Court may deem just and proper.
53. Plaintiff specifically requests / demands a jury trial in this matter.

Wherefore, plaintiff demands judgment against defendant in the amount of \$2,926.00 (actual damages, statutory damages, emotional distress attorney fees) plus costs. Plaintiff also seeks such other relief as this Honorable Court may deem appropriate.

Respectfully Submitted,

**MADDEN LAW FIRM, P.C.**

  
**WAVERLEY MADDEN, ESQ.**

Stephen Girard Building, Suite 100

21 S. 12<sup>th</sup> Street , #100

Philadelphia, PA 19107

Telephone: 215-525-0150

Fax: 215-525-0151

[madden@wmaddenlaw.com](mailto:madden@wmaddenlaw.com)

*Plaintiff's Counsel*

7/18/2012  
Date

**COMMONWEALTH OF PENNSYLVANIA  
BUCKS COUNTY  
COURT OF COMMON PLEAS**

Vicki Piontek  
951 Allentown Rd.  
Lansdale, PA 19446

Plaintiff,

v.

Midland Credit Management  
8875 Aero Drive, Suite 200  
San Diego, California 92123  
and

John Does 1-10  
and

X,Y,Z Corporations  
Defendant(s).

2012-02935

**VERIFICATION**

I Vicki Piontek affirm that the statements contained in the attached Complaint are true and accurate to the best of my knowledge, understanding and belief.

Vicki Piontek  
Vicki Piontek

7-19-12  
Date

## **EXHIBITS**

Return Mail Only - No Correspondence

**mcm**Dept. 12421  
PO Box 603  
Oaks, PA 19456

06-22-2011

06-22-2011

2345-123

\*8WNLTH  
\*0000 0654 0027 6128\*  
VICKI PIONTEK  
7517 OLD COALING RD APT 5  
HARMANS, MD 21077-1543

Contact Information: Tel (888) 327-7774

Hours of Operation: Sat-Th 5am - 2pm PST;  
Current Owner: Midland Funding LLC  
Original Creditor: FIRST EQUITY CARD CORP  
Original Account No.: 4988820006477771MCM Account No.: 8540027612  
Current Balance: \$15,235.84  
Payment Due Date: UPON RECEIPT

Dear VICKI PIONTEK,

Midland Credit Management, Inc. is the **SERVICER** of the above-mentioned **FIRST EQUITY CARD CORP** account. This is a demand for payment. Please include a check or money order for the Current Balance due. Once the balance has been received, the three major credit reporting agencies will be notified that the account is paid in full.\*

Please do not hesitate to contact me at (888) 327-7774, Ext.53673 if you have any questions.

Please understand this is a communication from a debt collector. This is an attempt to collect a debt. Any information obtained will be used for that purpose.

Calls to and/or from this company may be monitored or recorded.

Sincerely,

Jimmy Daniel X53673,C633  
Midland Credit Management, Inc.

\*Your credit report will not be updated if the federal reporting period has expired.

**MAIL PAYMENTS TO:** P.O. Box 60578, Los Angeles, CA 90060-0578

**MAIL CORRESPONDENCE BUT NO PAYMENTS TO:** MCM's business address at 8875 Aero Drive, Suite 200, San Diego, CA 92123

Please tear off and return lower portion with payment in envelope provided

### Payment Certificate

MCM Account Number: 8540027612

Current Balance: \$15,235.84

Amount Due: \$15,235.84

Make Check Payable to: Midland Credit Management, Inc.

Payment Due Date: UPON RECEIPT

VICKI PIONTEK  
7517 OLD COALING RD APT 5  
HARMANS, MD 21077-1543

**mcm**

Midland Credit Management, Inc.  
P.O. Box 60578  
Los Angeles, CA 90060-0578

12 8540027612 8 0005000 072211 6

Return Mail Only - No Correspondence

**mcm**

Dept. 12421

PO Box 603

Oaks, PA 19456

\*\*\*\*\*

06-24-2011

\*\*\*\*\*

\*BWNHLTH

15078 - 3022

\*0000 0854 0027 6128\*

VICKI PIONTEK

7517 OLD COALING RD APT 5

HARMANS, MD 21077-1543

**40% Discount Offer****MCM Account Number****8540027612****Original Creditor****FIRST EQUITY CARD CORP****CURRENT BALANCE****\$15,235.84****PAYMENT DUE DATE****08-08-2011**

- No additional interest will be charged to your account.

- All collection calls and letters on this account will stop.

- You will get rid of this debt and get on with your life.

- We will notify the credit bureaus the debt is PAID IN FULL.\*

Dear VICKI PIONTEK,

Midland Funding LLC has purchased your FIRST EQUITY CARD CORP account and Midland Credit Management, Inc. ("MCM"), a debt collection company, is the new servicer of this obligation.

We are offering you THREE payment options. All will save you money. All will make it easier to resolve this account.

**PLAN 1: Settle in Full**

Discount: 40% off

Payment Amount: \$9,141.50

Save: \$6,094.34!

**PLAN 2: Monthly Payments**

Discount: 25% off

Monthly Payment Amount: \$952.24

# of months: 12

**PLAN 3: Monthly Payments**

Discount: 10% off

Monthly Payment Amount: \$571.34

# of months: 24

Simply mail the Payment Coupon below along with your payment in the envelope provided. Please mail your payment by 08-01-2011 to be sure it reaches us by the due date of this offer, 08-08-2011.

If you aren't able to take advantage of these offers, please call an Account Manager at (877) 299-3686. We may have other options to help you resolve this account.

Sincerely,

Midland Credit Management, Inc.  
(877) 299-3686

EXHIBIT B

Hours of Operation:  
Mon-Th 9am - 2pm PST;

**Important Disclosure Information**

Please understand this is a communication from a debt collector. This is an attempt to collect a debt. Any information obtained will be used for that purpose.

Calls to and/or from this company may be monitored or recorded.

The records associated with the purchase from **FIRST EQUITY CARD CORP** reflect that you are obligated on this account, which is in default. As of the date of this letter, you owe \$15,235.84. The offer to settle this account for the discount(s) offered in this letter remains open until 08-08-2011. If the offer to settle this account is not accepted on or before 08-08-2011, the amount you owe may be greater because of interest, late charges, and other charges that may vary from day to day. To obtain an exact payoff amount, or for further information, please call one of our Account Managers at (877) 299-3686. As the owner of this account, but subject to the rights described below, Midland Funding LLC is entitled to payment of this account. All communication regarding this account should be addressed to MCM and not the previous owner.

Unless you notify MCM within thirty (30) days after receiving this notice that you dispute the validity of the debt, or any portion thereof, MCM will assume this debt to be valid.

If you notify MCM, in writing, within thirty (30) days after receiving this notice that the debt, or any portion thereof, is disputed, MCM will obtain verification of the debt or a copy of a judgment (if there is a judgment) and MCM will mail you a copy of such verification or judgment.

If you request, in writing, within thirty (30) days after receiving this notice, MCM will provide you with the name and address of the original creditor.

If an attorney represents you with regard to this debt, please refer this letter to your attorney. Likewise, if you are involved in an active bankruptcy case, or if this debt has been discharged in a bankruptcy case, please refer this letter to your bankruptcy attorney so that we may be notified.

Please remember, even if you make a payment within 30 days after receiving this notice, you still have the remainder of the 30 days to exercise the rights described above.

\*We may report information about your account to credit bureaus. Late payments, missed payments or other defaults on your account may be reflected in your credit report. No credit reporting will occur if the federal reporting period has expired.

-----  
Please send any correspondence relating to any credit reporting\* of this account to:

MCM CREDIT REPORTING DEPARTMENT, 8875 Aero Drive, Suite 200, San Diego, CA 92123.

PLEASE RETAIN THIS ADDRESS FOR ANY ISSUES RELATING SOLELY TO THE CREDIT REPORTING OF YOUR ACCOUNT.

**MAIL PAYMENTS TO:** P.O. Box 60578, Los Angeles, CA 90060-0578

**MAIL CORRESPONDENCE BUT NO PAYMENTS TO:** MCM's business address at  
8875 Aero Drive, Suite 200, San Diego, CA 92123

**VICKI PIONTEK**  
**7517 Old Coaling Road, #5**  
**Harmans, MD 21077**  
**877-737-8616**

Midland Credit Management, Inc.  
P.O. Box 60578  
Los Angeles, CA 90060

By Certified U.S. Mail

**RE: DISPUTE AND REQUEST FOR INVESTIGATION**  
**Vicki Piontek SSN: [REDACTED]**  
**First Equity Card Corp.**  
**MCM Account No. 8540027612**  
**Alleged Balance \$15,235.84**

To Whom it May Concern:

I wish to dispute the above referenced account.

The amount stated is excessive and inflated. The alleged balance includes interest, fees and other charges not warranted by any existing contract.

I have request proof of the balance and a breakdown of all charges. I have never been provided a copy of the contract which proves the interest rate, finance charges, late fees and other penalties. I dispute such amounts and believe that the actual balance, if any, is much lower than the amount stated on my credit report.

I would also like the name and address of the original creditor.

Sincerely,

Vicki Piontek  
Vicki Piontek

7-7-2011  
Date

7012 0470 0001 4702 5812

U.S. Postal Service <sup>TM</sup>	
<b>CERTIFIED MAIL<sup>®</sup> RECEIPT</b>	
(Domestic Mail Only; No Insurance Cover)	
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>	
<b>OFFICIAL</b>	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$
Sent to: <u>midland credit manag</u>	
Street, Apt. No., or PO Box No. <u>P.O. Box 6057</u>	
City, State, ZIP+4 <sup>®</sup> <u>Los Angeles CA 90060</u>	
PS Form 3800, August 2006 <span style="float: right;">50x</span>	

EXHIBIT C

**VICKI PIONTEK**  
 7517 Old Coaling Road, #  
 Harmons, MD 21077  
 877-737-8616

Midland Credit Management, Inc.  
 P.O. Box 60578  
 Los Angeles, CA 90060

By Certified U.S. Mail

**RE: DISPUTE AND REQUEST FOR INVESTIGATION**  
**Vicki Piontek SSN: [REDACTED]**

U.S. Postal Service		CERTIFIED MAIL RECEIPT		Domestic Mail Only (No Insurance Coverage Provided)	
Official Use		Postage		Certified Fee	
Return Receipt Fee (Endorsement Required)		Restricted Delivery Fee (Endorsement Required)		Total Postage & Fees	
Postmark Here		Postage		Certified Fee	
Return Receipt Fee (Endorsement Required)		Restricted Delivery Fee (Endorsement Required)		Total Postage & Fees	
Midland Credit Management, Inc.		P.O. Box 60578		Los Angeles, CA 90060	

**First Equity Card Corp. #8540027612 Alleged Balance \$15,235.84**

To Whom it May Concern:

I wish to dispute the above referenced account.

The amount stated is excessive and inflated. The alleged balance includes interest, fees and other charges not warranted by any existing contract.

I have request proof of the balance and a breakdown of all charges. I have never been provided a copy of the contract which proves the interest rate, finance charges, late fees and other penalties. I dispute such amounts and believe that the actual balance, if any, is much lower than the amount stated on my credit report.

**I would also like the name and address of the original creditor.**

Sincerely,

Vicki Piontek  
 Vicki Piontek

7.23.2011  
 Date

EXHIBIT D



Dept. 12421  
PO Box 603  
Oaks, PA 19456

11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 1040 1041 1042 1043 1044 10

08-01-2011

**Contact Information:** Tel (800) 825-8131

Hours of Operation: M-Th 6am - 7pm;  
Fri-Sat 6am - 5pm PST  
Current Owner: Midland Funding LLC  
Original Creditor: FIRST EQUITY CARD CORP  
Original Account No.: 4988820006477771

**MCM Account No.: 8540027612**  
**Current Balance: \$15,332.38**

2344.620



#BWNHLTH  
#0000 0854 0027 6128#  
VICKI PIONTEK  
7517 OLD COALING RD APT 5  
HARMANS, MD 21077-1543

Dear VICKI PIONTEK,

We have opened an investigation concerning your recent request and have requested the appropriate documents.

A Consumer Relations Representative will provide a response to your request in the near future. We can be reached at (800) 825-8131 ext. 32980, should you have further questions.

Please understand this communication is from a debt collector. This is an attempt to collect a debt. Any information will be used for that purpose.

**Calls to and/or from this company may be monitored or recorded.**

Sincerely,

**Consumer Relations**  
**(800) 825-8131 Ext. 32980**

**MAIL PAYMENTS TO:** P.O. Box 60578, Los Angeles, CA 90060-0578

**MAIL CORRESPONDENCE BUT NO PAYMENTS TO:** MCM's business address at 8875 Aero Drive, Suite 200, San Diego, CA 92123

